

Remarks

This Amendment is in response to the Office Action dated **December 8, 2009**. In the Office Action, claims 32, 36, 42-44 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over:

1. claims 1-7, 19-25 of U.S. Patent No. 6007543,
2. claims 1, 7-9, 20 of U.S. Patent No. 6203558,
3. claims 1, 6-8, 20-26 of U.S. Patent No. 6371962,
4. claims 3-10, , of U.S. Patent No. 6,610,069, and
5. claims 1, 5-10, of U.S. Patent No. 6,712,827.

Further, dependent claims 33-35, 37-40, 45-52 were rejected as obvious modifications of the inventions claimed in the patents.

The Undersigned attorney discussed the obviousness-type double patenting rejection with the Examiner in a teleconference on December 8, 2009. In the teleconference, the undersigned Attorney also discussed amending the specification to clarify that the language of 'exposed to a portion of the medical balloon...' means that nothing extends between the separation and the portion of the medical balloon to which it is exposed, the portion being located along a radial line which extends from the center axis and through the separation.

In response, Applicant submits herewith, without prejudice or disclaimer, the requested terminal disclaimers. Also, Applicant has amended the specification, without prejudice or disclaimer, to include the clarification discussed with the Examiner. Support for the amendment is found at least in Fig. 6 of the application as filed.

The undersigned attorney thanks the Examiner for the clarifications provided in the phone conversation.

Conclusion

In light of the above comments, the application is seen to be in condition for allowance. Notification to that effect is respectfully requested.

Respectfully submitted,

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